

USE OF THE CAUCASIAN. VOL. XV. THE GOVERNOR SUSTAINED. SEND \$1.00 AND RECEIVE THE CAUCASIAN UNTIL DECEMBER 1, 1898. RALEIGH, N. C., THURSDAY, NOVEMBER 4 1897. NO. 50. We want 20,000 subscribers to The Caucasian before the campaign of 1898. We will send the Caucasian from now until December 1, 1898, for \$1.00.

THE GOVERNOR SUSTAINED. The Court Holds That the Railroad Commission Law is Constitutional. CALDWELL & CAPT. DAY WIN. Judge Robinson Rules That the Constitutionality of the Law is All That the Court Can Determine—Able Argument on Both Sides—The Decision of the Court Upholds the Law—The Governor Has Power to Remove the Commissioners—Only the Next Legislature Has Power to Pass Upon the Evidence and Decide Whether or Not the Cases are Sufficient.

THE NEWS AND OBSERVER COMMENTED. "Negro Scarcers" Backed Call Forth a Card From Capt. Day—The D. D. and H. Institution in Capital Hands—The Work Progressing Remarkably Satisfactorily. In its desperation to impress upon the public the negro scarecrow, the News and Observer has been busy for some time in the issue of Friday, the 14th, in printing an editorial on the "white supremacy" of the "scarcers" resorted to its own device of imagination, and brought forth an editorial from which we clip the following:

MUNICIPAL OWNERSHIP. I am in favor of the municipal ownership of the monopolies of certain conditions. I learned this from my father who always strongly leaned toward local ownership, when the conditions were of a favorable character. Corporations must be taught immediately and sternly that it is not only criminal but unsafe to persist much longer in the system of robbery which too many of them practice. The fight of the franchise of the present is to be waged in the protection of popular rights against corporate encroachments. S. M. Jones, Mayor of Toledo. I am unqualifiedly in favor of municipal ownership of franchises. We do not have in Toledo, but it is coming. Public sentiment was so strong in Toledo a year or two ago that it quelled a proposition to extend a franchise to the city's right and left. The sentiment there is elsewhere, is against giving away or the disposition to private parties of public franchise at any price. S. E. Green, Mayor of Indianapolis. Municipal ownership of franchises, under right conditions, preventing unscrupulous political manipulations is most desirable. The granting of franchises in perpetuity to private corporations void of protective and salutary stipulations, is radically wrong. D. M. Allen, Mayor of Evansville. Every city should own its own franchises so far as practicable. O. A. Johnson, Mayor of San Francisco. It is clear that the city's right and duty to construct and operate street railways. If the city cannot make advantageous terms with the corporations, then it has this alternative, which it should not fail to employ. The city should not be put into the hands of the corporations, but should be made out of the public property and the necessities of the people. D. J. McVicar, Mayor of Des Moines. I believe in municipal ownership all the way through. It is a great mistake to dispose of franchises to private parties on any conditions. J. A. Williams, Mayor of Hartford. I have studied this question long and carefully, and some time ago came to the firm conclusion that cities should own all franchises, except, possibly, street railways. But now I incline this also.

THIS LOOKS LIKE A DEAL. Is the Commission Getting Ready to Withdraw the Fifteen Cents Rate? TELEGRAPH RATES AGAIN. The Western Union People's Terms on Which It Will Withdraw the Case From the Federal Court for Rehearing. The Commission—The Terms Favorable to the Western Union—But the Commission Seemed Anxious to Accept Them—The Attorney for the State Pressed the Commission to Refuse to Accept Conditions Named by the Western Union—It Took More Than Ever Like There is a Deal in It. The Western Union Telegraph Company has made a proposition to the Commission to withdraw the case from the Federal Court for rehearing. The Commission seemed anxious to accept them. The attorney for the State pressed the Commission to refuse to accept conditions named by the Western Union. It took more than ever like there is a deal in it. The Western Union Telegraph Company has made a proposition to the Commission to withdraw the case from the Federal Court for rehearing. The Commission seemed anxious to accept them. The attorney for the State pressed the Commission to refuse to accept conditions named by the Western Union. It took more than ever like there is a deal in it.

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HENRY GEORGE DEAD. The Candidate for Mayor of Greater New York Dies Suddenly of Apoplexy. HIS REMARKABLE CAMPAIGN. He Was Ardent Friend of the Poor—Among the Many Who Had Been Made to Henry's Words, George Had Been One of the Most. Henry George, the candidate for Mayor of Greater New York, died suddenly of apoplexy. He was an ardent friend of the poor and had been one of the most remarkable of the candidates for Mayor of Greater New York. He was a candidate for Mayor of Greater New York and had been one of the most remarkable of the candidates for Mayor of Greater New York. He was a candidate for Mayor of Greater New York and had been one of the most remarkable of the candidates for Mayor of Greater New York.

THE CAUCASIAN

PUBLISHED EVERY THURSDAY
BY THE CAUCASIAN PUBLISHING CO.

SUBSCRIPTION RATES.

ONE YEAR..... \$1.00
SIX MONTHS..... .75
THREE MONTHS..... .50

Sent in the Post Office at Raleigh, N. C.
as Second Class Matter



30,000 SUBSCRIBERS FOR CAMPAIGN.

We have had a number of requests to make a special rate for *THE CAUCASIAN* for three months. We cannot do this. It means a loss to us. The paper cannot be published for less than \$1.00 a year without loss. Besides, we want each subscriber to read the paper each week till the close of the coming campaign. Therefore we make this offer: we will send the paper from now till December 1, 1907, to each person who sends \$1.00 now. Let every subscriber spare enough time to send in a club under this offer. Every voter should know the facts which *THE CAUCASIAN* is publishing each week.

IT LOOKS LIKE A DEAL.

Last week *THE CAUCASIAN* stated that it had information which led it to believe that there was a deal in contemplation between the Western Union Telegraph Company and the Railroad Commissioners, by which the old twenty-five cent rate on messages was to be restored and an attempt made to satisfy and bamboozle the public by a slight increase in taxation of the company's property.

Since that time the Commission has had the question of taking the case out of the Federal Court and remanding it to the Commission under consideration. We give the full proceedings in another column. Read carefully every line of these proceedings. To say the least, the conduct of the Commissioners is strange. Notice that the Commissioners refuse to accept the advice of the State's attorneys, but seemed ready to accept the advice and suggestions of the Western Union attorneys. The whole thing points strongly to the truth of *THE CAUCASIAN*'s charge.

If the Commission should decide to rescind its fifteen cent order for messages and then increase the tax valuation of the Western Union property in the State to even one million dollars it would mean that the State would lose twenty-one thousand dollars a year on the message rate and gain only five thousand dollars a year on taxation. This would be a clear gain to the Western Union of sixteen thousand dollars a year, and a clear loss to the State of the same amount. If the Commission should do this it will prove the deal.

Read carefully our report of the action of the Commissioners at their last meeting on this matter. This is important and the public should know what took place and consider the same carefully.

A VIEW FROM THE INSIDE.

When this writer was battling for the establishment of a Railroad Commission, we felt positively certain that freight and passenger rates were too high, but we did not know how much. We were not allowed to examine the books of the railroad, and were therefore unable to say what rates would be fair to the people and to the railroad at the same time.

The legislature of 1891 would have reduced rates, but it did not have this information; therefore, a railroad commission was established and was given the power to examine the books of the railroads, and with this knowledge to reduce freight and passenger rates to a fair and just basis, as well as to correct other evils and to superintend and regulate the general management of the railroads and other natural monopolies of the State. But strange to say, the Commission has either refused to inform itself, or else, having secured information, has refused to do its duty by the public.

THE CAUCASIAN has contended all along that freight and passenger rates were unreasonably high. We have published many facts and much evidence to prove the justness of our contention.

But here comes the Manufacturer's Record, an organ of the railroad trust, boasting of the enormous profits made by the railroad companies while every other business is suffering from the evil effects of hard times. The editorial contains some statements and admissions from the inside more remarkable than anything we have ever published. It boldly heads its editorial "What has been done, can be done again." No one doubts that they will continue to rob the public as they have done in the past as long as the public will submit to it.

If there is any one who has any doubt that justice and equity between the public and the railroads demands a considerable reduction of both freight and passenger rates, let him read and study the following from the Manufacturer's Record:

"We will enumerate a few instances of the rapid and phenomenal appreciation which took place in railroad securities in the Southern States following the revival which began in 1890. Among the notable advances may be mentioned Atlanta & Charlotte stock, which, after selling at \$1.00 per share, became a 6 per cent. dividend payer, and advanced in two or three years to \$100 per share, and is still quoted around par. The stock of the Petersburg & Weldon Railroad was considered almost worthless. Five thousand shares were purchased in 1880 at fifty cents per share. In about two years it advanced to \$45 per share, and is now quoted about 110, an appreciation of more than half a million dollars—a fortune for a man of moderate ac-

tion to retire on—from an investment of \$2500. Richmond and Danville Railroad stock was bought largely at about \$2 per share by parties who in the next few years had opportunity of selling at \$250 per share. Chesapeake & Ohio common stock, after being nearly worthless at \$1.50 per share, found eager purchasers a little later at \$33 per share. The capital stock of the Richmond & Allegheny Railroad was given away as a bonus to bondholders, and in about eighteen months advanced to \$80 per share. The preferred stock of the Columbia & Greenville Railroad, which the organizers of the property got for practically nothing, rapidly advanced to \$100 per share, and the stock of the predecessor of the Norfolk & Western Railroad, the old A. M. & O. R. R., after selling at about \$1 per share was exchanged for the new common stock of the Norfolk & Western, which advanced to about \$300. The stock of the Wilmington & Weldon Railroad, a perfect company of the Atlantic Coast Line system, was quoted about \$50 per share, rose to par on the payment of regular dividends, declined to about \$10 per share, and in 7 per cent certificates worth 120, continued regular dividends, and a few years later declared another scrip dividend of \$100 per share in security worth \$5. The extra dividends declared in ten years, in addition to semi-annual dividends, amounted in value to about \$200 per share. The stock, after this enormous distribution of earnings and assets, is now quoted at 115 bid. The advance was almost as remarkable as the advance which took place in the stock of the Atlanta & Charlotte first mortgage 7s from 35 to 100, and the stock of the Charlotte & Augusta second mortgage 7s advanced from 40 to 120, and the stock of the Petersburg & Weldon second mortgage bonds climbed rapidly from 10 to 130, and so on. Many more instances of the same kind could be given. These results were almost entirely the result of judicious investment in railroad securities in the South. History repeats itself. There are today opportunities for investment as great and as full of promise as these."

This is an admission of all that we have ever contended, and more besides. The statements are astonishing, but since they come from the inside, and are published in a railroad organ, we cannot well doubt their correctness. The tendency is to publish less than the truth, and not more than the truth. Let us examine some of these statements. They show that the Wilmington & Weldon Railroad stock has not only increased in value, but has quadrupled in value, and that a surplus of \$300 a share above the regular dividends has been wrung from the public in high freight and passenger rates. This has been done, while the value of land along the railroad and the products made on the land have been constantly decreasing in value. The higher the freight and passenger rates, the larger are the profits of the roads.

The farmer's cotton has gone down from fifteen cents a pound to five cents a pound, while railroad stocks have gone up from \$50 a share to \$200 a share. Of course the value of a share of stock in the railroads depends upon how big a profit the railroads make by high freight and passenger rates. When cotton is five cents a pound, the freight rates on cotton and the passenger rate for the farmer when he rides on the train, should certainly be less than when cotton is fifteen cents a pound. Why should not the rate be one-third as much? When a farmer got fifteen cents a pound, or \$75 for a bale of cotton, and paid \$5 freight on the bale to New York, the freight was one-fifth of the value of the cotton, or six and two-thirds per cent.—that much toll, as it were. Now the same bale of cotton sells for only \$25, yet the freight is still \$5 or one-fifth of the value of the cotton, or 25 per cent. toll, as it were.

Suppose your ginster, who once ginned your cotton for 1-15, instead of now reducing his toll to 1-20 or 1-25, should on the other hand increase his charge to 1-5 for ginning each bale of cotton, would you submit to such injustice? You would send your cotton to another gin. But suppose there was but one gin, or suppose that all the gins were in a trust, as the railroads are, then what would be your remedy? You would call upon the legislature to fix a fair rate by law between you and the ginster.

This is the situation today, and it is not only the cotton farmer but every business in the country that is being robbed by exorbitant freight rates and fares.

The people have the constitutional power and the unquestioned right to regulate freight and passenger rates. Then why not correct by law this monstrous inequality and injustice? Every time it is proposed to do justice and to put the railroads and the public on a common plane of equality, there are always a certain set of men who cry out that "the railroads should not be persecuted by demagogues, that the railroads should be treated fairly and liberally," etc. Is it not high time for demagogues to go and else will, to speak out and protest against the people being persecuted, and to demand that the people be treated fairly, if not liberally.

The above facts from the Manufacturer's Record ought to be enough to open the eyes and to appeal to the conscience of every man, even the Wilson brothers, late of the Commission.

Let every voter read these facts and figures, and remember that they are facts from the inside; it is what the railroad admit about their own profits. It is a remarkable admission, and we must confess that we are surprised that they would ever allow such facts to get to the public.

Notice that the Manufacturer's Record says that the old Richmond & Danville (now the Southern Railroad) stock has risen in value from \$2 a share to \$250 per share. Notice that the stock of the Petersburg & Weldon Railroad was fifty cents a share in 1880, and is now valued at \$45 a share, and all of this by high rates.

In this way the railroad syndicates have managed to make themselves millionaires by taxing the public into poverty. They have grown rich, but if all the ginners in North Carolina were allowed to form a trust and charge any toll that they saw fit for ginning cotton, they could soon make themselves millionaires, even if cotton was as low as three or four cents a pound. They could get rich, while the farmers could not make enough to pay guano bills and not come out even, and of course the stock in the gin trust would jump up from one dollar a share to fifty dollars a share and more.

Today the railroads levy a tax upon the people of the State and upon every business industry in it more burdensome than all of our other taxes. We pay our state taxes to the sheriff; we pay the taxes levied by railroads to their agents at every station. The railroads not only collect from the public fares high enough to pay their running expenses, to pay their officers big salaries, (\$50,000 or more), to hire railroad attorneys, to pay for lobbies to hang around each session of the legislature to corrupt and influence the members, to buy and subsidize newspapers, but they make their taxes (their freight and passenger rates) high enough to cover all of this and more, high enough to pay the stockholders of the companies their profits, and the bondholders their profits; but besides, in addition to all this, they charge rates high enough to give them in this State a surplus of \$2,000,000 a year above a fair profit.

It is difficult to comprehend this enormous amount. It is twice as much as all of our State taxes. In short, if freight and passenger rates were reduced to a just level, there would be saved to the pockets of the taxpayer in one year twice as much as we pay in taxes to the sheriff to support our State government.

Let the people remember this when electing the next legislature, and vote for no candidate who will not pledge himself on this question on the stump. Remember that these railroads hold hands with the gold syndicate in the last campaign to make money scarce and prices low; now let us reduce their charges to the gold standard level and say to these railroad corporations that "you can prosper when the people prosper, that when the people suffer hard times that you must reduce your rates and share hard times with us." Do this, and the people will not only save millions of dollars a year that are now taken from them in high freight and fares, but at the same time we will convince the railroads that they must stand with the people for free silver and more money, and this they will do when they learn that their prosperity depends upon the prosperity of the wealth producers.

Yes, let us be fair toward the railroads, but do not ask us to be fair toward them when we are to our own wives and children. The people ask justice, equality, and equity. They ask nothing more; they will take nothing less.

THE COURT SUSTAINS THE CONSTITUTIONALITY OF THE LAW.

In another column we publish the argument, pro and con, in the Railway Commission case before Judge Robinson. It will be seen that the court holds that the law is constitutional. This indeed was the only question for the court to decide. The Railway Commission act, in plain and explicit language, gives the Governor power to suspend Railway Commissioners, and provides that his reasons therefor, together with the evidence shall be submitted to the next general assembly which body shall decide finally whether the Commissioners shall be removed or reinstated in office. The law is plain and the Governor has acted in accordance with the law. Therefore, as we have said, the only question that could arise is whether or not the law is constitutional. We do not suppose that any good lawyer has ever seriously doubted or questioned that it was constitutional. Some of the best lawyers in the State gave their opinion about this section of the Commission act in 1891, before it was enacted by the legislature. The Supreme Court will finally pass upon the constitutionality of the law at an early date.

THE SUDDEN DEATH OF HENRY GEORGE.

The whole country was shocked to learn of the sudden death of Henry George, the people's candidate for mayor of Greater New York, which occurred on last Friday morning. He was making a brilliant and remarkable campaign. His magnificent fight against monopoly and boss rule was second only to the heroic campaign made by W. J. Bryan last year for the Presidency. He had larger crowds at every point than any of the other candidates, and never failed to arouse the greatest enthusiasm. His following was rapidly gaining in numbers each day, and it began to look that he would be triumphantly elected in the very center and stronghold of plutocracy. Mr. George was fifty-eight years of age, and his health was not good. He broke down from the strain of the campaign, and died suddenly of apoplexy. His death is not only a loss to New York, but indeed to the whole country. We fear that his death will mean the triumph of the infamously corrupt Tammany organization.

THE UNION PACIFIC STEEL GOES THROUGH.

We are informed by the Associated Press that the McKinley Administration was so much alarmed about the severe criticism on the Union Pacific scandal, and so fearful of general public condemnation that the Attorney-General notified the syndicate that they must raise their bid. This of course the syndicate was willing to do. They have raised the bid eight million dollars, and this still leaves many millions profit to the syndicate. We see it stated in the bid which covers the entire government claim and save the government from any loss. This is not only misleading, but basely false. When the syndicate raised its bid on the Union Pacific it withdrew its bid on the Kansas Pacific road. All the Pacific railroads should be sold together or not sold at all.

As we have pointed out in a previous issue the government holds a mortgage of nearly seventy million dollars on the Central Pacific and about thirteen million on the Kansas Pacific. If the Union Pacific, which is simply a part of the through line, is sold alone, then the government will practically lose its mortgages on these other two roads. The Central Pacific will be practically worthless to the government after the Union Pacific is sold, that is, worthless to anyone except the owners of the Union Pacific. Therefore the govern-

ment would be in a position where it could not operate this piece of road by itself, could not sell it to anyone else, and therefore must sell it or give it away to the owners of the Union Pacific on their own terms. Any private individual who would manage his own property as the McKinley administration has managed these Pacific railroads would be set down as a lunatic by every sane person.

Mark this prediction: If the government allows the Union Pacific to be sold alone (and it is in violation of law to sell any of these roads without Congress), then the eighty million dollars claim which the government has on the Kansas Pacific and Central Pacific will never be collected. The syndicate will sooner or later get them on their own terms. This deal, for incompetency or corruption, will constitute one of the blackest pages in the history of our government. It is even blacker than Cleveland's infamous secret bond deals.

WHAT THE RAILROADS EXPECT WHEN THEY GIVE FREE PASSES.

The Richmond Times, a rank gold organ, commenting upon Governor Russell's statement to the effect that though he had accepted courtesies of the railroads, that had passed them on him, that yet he was opposed to free passes and would use his whole power to enforce the law and root out this evil, says that in its opinion it is a great deal more decent thing for one when he accepts favors from a railroad to then "stand in with it." This statement of the Richmond Times has been copied by the Wilmington Messenger and a number of other railroad organs in this State with approval. We wish to thank these railroad organs for throwing light on this question. It is important to know that they think that when a man accepts a railroad pass that he ought to then "stand in with" the railroads and do their bidding, regardless of justice or the interest of the public. We see now the real grievance which these railroad organs have against Governor Russell. If he had accepted the courtesies of the railroads, and then sacrificed the interests of the State to serve these roads, as Governor Carr did, he would have been a great man and a patriot in their eyes. Governor Russell's real crime, in their estimation, is in refusing to be influenced by passes and standing true to the people. We had long suspected that this was the way railroad organs looked at the matter. The public is to be congratulated that they have uncovered themselves and let it be known to all men that they expect a man who accepts a free pass to serve the railroads.

THREE MORE FREE PASS CASES.

The Southern Railroad has been indicted in Bamcoombe county for issuing free passes to Judge Ewart, Solicitor McCall, Sheriff Worley and other prominent men and officials. Judge Ewart explains that he did not know the law prohibited free passes. Solicitor McCall says that he accepted a free pass because he is an attorney for the Southern Railroad. How can a man be attorney for a railroad and prosecuting attorney for the State at the same time, for if the law was enforced it would certainly be frequently his duty to prosecute the railroads for violation of the law. Sheriff Worley said that he accepted a free pass because he was a kind of an employee of the railroads, that is, that he served certain official papers for them. But the question arises, Why should a sheriff be paid a private fee for doing public business for the railroads any more than he should be given a private fee by any individual in doing public business? These matters serve to show the people not only the alarming extent to which free passes are issued to public officials, but also the undesirable results that must necessarily follow.

One of the chief purposes of the law is to protect the weak against the strong, and therefore one of the greatest and most important and most sacred duties of public officials, and especially our judges, is to see that justice is meted out to both sides. Therefore it is not safe, and besides, it is unseemly for the officials entrusted with this important and sacred duty to be accepting favors from the rich and the powerful, when it is their sworn duty to pass upon and mete out justice between these powerful corporations and the great helpless masses of the people.

The free pass business is a slimy, poisonous snake under our judicial and legislative systems that no time should be lost in crushing out.

THE PLOT DEEPENS.

The Charlotte Observer, in an editorial arguing that the gold Democrats and silver Democrats, the anti-monopoly Democrats and the monopoly Democrats should get together, says that to accomplish this the party, in order to reaffirm the Chicago platform in the next State Convention, it says it "has realized that the majority (silver Democrats) could not, if it wanted to, depart so early from the Chicago platform, and there is perhaps not a person in the State who expects it to."

There you have it. Here is more evidence of the scheme that *THE CAUCASIAN* has been warning the people against for the last two or three months. The gold Democrats want to get back into the party in full fellowship and to have a hand in the management of the party machinery. They are willing for the silver Democrats to reaffirm the Chicago platform in the next State Convention on the understanding that the campaign will be fought on the "nigger" question, and that a railroad legislature shall be elected.

THE GOLD MEN AND RAILROAD DEMOCRATS ADMIT THAT IT IS TOO EARLY TO ASK THE SILVER DEMOCRATS NOT TO RE-ENDORSE THE CHICAGO PLATFORM.

The gold men and railroad Democrats admit that it is too early to ask the silver Democrats not to re-endorse the Chicago platform. It would expose the game, so that the people could see it; and then, too, the gold and railroad Democrats care nothing about the Chicago platform in a State campaign, but if this scheme works we will find gold and railroad Democrats going to the National Democratic Convention in 1908 to oppose Bryan. Yes, the gold and railroad Democrats will compromise with the silver Democrats for a railroad legislature and for a chance to go as delegates to the next National Convention, while the silver Democrats get the privilege of re-endorsing the Chicago platform in an off-year.

The plot deepens. Let patriots keep their ears to the ground. *THE CAUCASIAN* will expose each move of the conspirators.

THEY WANT NEGROES APPOINTED.

The Wilmington Messenger in a recent issue worked itself into a fury. It beat the air and raved, and foamed at the mouth because McKinley was appointing some negro postmasters in Halifax county and other counties. Just at the close of the editorial, however, the editor let the cat out of the bag. He said that one good thing would come from these negro postmasters, namely: that it would help the Democratic party, and enable the gold men and silver men to get together (put their principles in the background, betray the people and get in power again).

THIS LOOKS LIKE A DEAL.

(Continued From First Page.)

An investigation. Is the same lobby now at work in North Carolina? It is also indeed strange that the members of the Commission should not want to confine the Western Union, or any other foreign corporation doing business in the State, to our own State courts. If the Commission wants to secure justice between the people and a monopoly, why should it not want to force them to submit their cases to the State courts instead of to the Federal courts, which are, too often, too friendly to monopolies?

Another remarkable thing is that the attorneys of the Western Union objected to these stipulations of the State's attorneys on the same ground that the Commission objected to them. After having refused to accept the above stipulations prepared by the State's attorneys, of course the Commission could not still insist on accepting the stipulations prepared by the Western Union attorneys, so the Commission formulated the following stipulations of their own:

They agree to the following stipulations of the Commission:

"Whereas, on the 23rd day of July, 1897, the Western Union Telegraph Company was called for hearing and consideration by the Railroad Commissioners, and from the facts and evidence then elicited, the value of the property of the company in North Carolina was assessed for taxation at \$1,000,000, and the transmission of messages as follows:

"From and after the first day of September, 1897, the Western Union Telegraph Company shall not charge or collect more than fifteen cents for transmitting any message of ten body words or under, exclusive of date, address and signature, between any two points within the limits of the State on its lines, nor more than one cent for each additional word."

"And, whereas, the Western Union Telegraph Company was given the usual time, ten days, to file exceptions thereto; and whereas, the said Western Union Telegraph Company failed to file the exceptions filed, but obtained a restraining order from the United States court preventing said Railroad Commissioners from enforcing its order, and at the same time instituting in the same court a case in equity, and giving a bond of indemnity for the sum of ten thousand dollars."

"And whereas, it now appears that the said Western Union Telegraph Co. is willing to have all matters of controversy referred to the Railroad Commission, the Railroad Commissioners hereby consent to the same under the following stipulations:

"That a bond be given by the Western Union Telegraph Company of ten thousand dollars (\$10,000) to the State of North Carolina, as per section 7 of the constitution, to be forfeited in case of non-compliance with the order of the Railroad Commission for the over-charge for telegraph messages from and after the first day of September, 1897."

"That the Western Union Telegraph Company, at a day not exceeding thirty days from date, shall appear before the Commission with a statement of the whole of the business of the company, and the value of the same and the relative proportion the State of North Carolina may have in its entire assets."

"Neither party is to be excluded from introducing new evidence."

The rates as above set out to remain in full force and effect until further orders."

Is This a Bid and a Pretense?

The attorneys of the Western Union pretended to object to the above stipulations, but they were careful not to say that they would not accept the same. They simply said that they wanted time to consult the head officials of the Western Union. It will be noticed that they did not ask for time to consult the Western Union officials relative to the stipulations prepared by the State's attorneys. They pointed out that they did not ask for time for time is simply a pretense and a blind."

What Does This Mean?

It will be noticed that in the above stipulations offered by the Commission that the Western Union is not called upon to give a statement of their gross earnings and net earnings and profits, nor of their expenses and the amount of salaries paid their officials, etc. It would be absolutely necessary for the Commission to have this information in order to determine a fair rate.

It would not pay the State to return to the old rate even upon a basis of valuation of \$1,000,000. Let the public taxation, much less a valuation of \$500,000. An increase to \$1,000,000 would be 618,247 28

Taxes at 65¢ per cent. on this amount would be 3,316 36

Against a benefit to the public of 21,044 28

How quickly and gladly would the Western Union exchange a 15 cent rate for taxation on \$1,000,000 of property that would make over \$15,000 a year.

The attorneys for the Western Union requested that the whole matter be postponed until the 20th of November, and that in the meantime the injunction case which was to come up before the Federal court on November 14, should be postponed until some day after November 20. This was promptly agreed to by the Commission.

This whole transaction is very important and significant. Let the public watch the proceedings carefully and with interest.

THE CAUCASIAN prints in another column the report of Col. Thos. S. Evans, the expert book-keeper who was employed to examine and report upon the operations of the Penitentiary for the last four years, that is, the years 1893, 1894, 1895 and 1896—being the four years of Elias Carr as Governor and Leazer as Superintendent. Mr. Leazer reported that the institution was self-sustaining, and now keeps saying so. No fair-minded man will believe him in the face of this report of one of the most experienced experts in book-keeping now living in this or any other State. Mr. Evans has always been a Democrat. He had no partisan purpose to serve. He was employed because of his high reputation and long experience as a book-keeper and expert accountant. His report shows a decrease of assets during the four years amounting to one hundred and four thousand one hundred and forty eight dollars and fifty-

Five hundred dollars is offered to competitors in a contest that affords both instruction and amusement. We will give \$500 to the one who will **SUPPLY THE MISSING WORD** in the following sentence:

"Some years ago a man in a New Jersey city made a silly wager that he could climb the high spire of the local church. Hundreds of people gathered to witness his attempt, which ended in the man falling to his death."

The meaning of the missing word implies foolishness. While there are a few words that might properly be used in the sentence, there is only one correct word, and your skill in naming the correct one may gain you the prize of

\$500.00.

Probably you will be the only one who guesses the missing word, but if more than one answer is correct, then the money will be divided proportionately. It is not necessary that the answer be a single word. The contest will close on December 20, and to the one who guesses correctly, giving more than one is correct, we will give \$100 in addition to the prize; to the second correct guess, \$50, and to the fourth, \$15.

The post office stamp on the envelope will be taken as the date of the guess, so whether near or far away, all have an equal chance. All envelopes will be opened in inspection of contest, and the sealed and unopened will be opened until in close of the contest, when the prize will be determined by a committee and the name sent to the successful guesser, which will no doubt prove an acceptable

CHRISTMAS PRESENT.

When sending the missing word mention whether you want the prize sent by bank draft, registered mail or express. We will send any way the winner or winners desire. We do it to introduce to the public our magnificent Chrysto diamond scarf pin and brooch pin.

The scarf pin is made of solid gold plate and the stone is one of our superb Chrysto Diamonds. For fire and brilliancy it is unsurpassed. It is the finest specimen of an imported brooch and can be told from a real diamond. It is acknowledged by experts to be the nearest approach to a genuine diamond ever produced.

A MARVEL OF BEAUTY

is our magnificent present brooch pin. It is simply a masterpiece of workmanship. It is in solid gold plate and set with five white stones, very brilliant, with one magnificent diamond in the center of a star placed in the curve of a crescent. It is elegantly finished, and its appearance is equal to those sold by leading jewelers for \$200.

We have spared neither time nor money to make this scarf and brooch pin the best production of the jeweler's art, and those who have seen them pronounce them unequalled in beauty and design.

OUR PROPOSITION.

We will send you the brooch and scarf pin, carefully packed in a neat box, postage prepaid and delivery guaranteed, for ONE DOLLAR.

WE ABSOLUTELY GUARANTEE SATISFACTION.

If you find the articles not as represented, send them back to us, and we will pay you each for them.

One guess at the missing word is allowed for every scarf and brooch pin purchased. The competition will positively close on December 20, and no answer received after that date can enter the contest.

The name or names of the winners and the correct sentence will be sent by mail to purchaser, and will also be published in this paper immediately the contest is closed. To prize money will be sent at the same time.

Remit by enclosing a dollar bill, postage money order or postage stamps to

THE CHRYSO DIAMOND CO.,
No. 233 BROADWAY, NEW YORK.

one cent (\$104,146 51). This is at the rate of twenty-six thousand dollars (\$26,000) a year. For the year 1907 the situation ran behind eleven thousand (\$11,000). This amount, which is not actually twelve thousand dollars, is not \$12,000, must be added to twenty thousand dollars, \$32,000, in the year 1906, it ran behind thirty eight thousand dollars (\$38,000). And yet Leazer says it was self-sustaining! The people will decide between the self-sustaining assertions of Leazer and the data and the statement of Evans.

Sales Talk

With Hood's Sarsaparilla, "Sales Talk," and show that this medicine has enjoyed public confidence and esteem to a greater extent than any other remedy. It is not that we say so, but that Hood's Sarsaparilla does, that the story. All advertisements of Hood's Sarsaparilla, like Hood's Sarsaparilla, are honest. We have never seen the public, and this with its medicinal merit, is why the people are abiding confidence in it, and by

Hood's Sarsaparilla

Almost to the exclusion of all others, Hood's Pills are the only pills to take. Prepared only by C. I. Hood & Co., Lowell, Mass. Hood's Pills with Hood's Sarsaparilla.

MAJ. W. C. CARAN R. WAR IN R. SUPPLY FOR PHILIPPINES and part by the war. The free months to her country. President.

\$500 IN ACTUAL CASH

Five hundred dollars is offered to competitors in a contest that affords both instruction and amusement. We will give \$500 to the one who will **SUPPLY THE MISSING WORD** in the following sentence:

"Some years ago a man in a New Jersey city made a silly wager that he could climb the high spire of the local church. Hundreds of people gathered to witness his attempt, which ended in the man falling to his death."

The meaning of the missing word implies foolishness. While there are a few words that might properly be used in the sentence, there is only one correct word, and your skill in naming the correct one may gain you the prize of

\$500.00.

Probably you will be the only one who guesses the missing word, but if more than one answer is correct, then the money will be divided proportionately. It is not necessary that the answer be a single word. The contest will close on December 20, and to the one who guesses correctly, giving more than one is correct, we will give \$100 in addition to the prize; to the second correct guess, \$50, and to the fourth, \$15.

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If not for sale by local dealers, address,

THE JOHN CHURCH CO.,
CINCINNATI

Children's Corner

To every one reading this one year's subscription to THE CAUCASIAN, we will send them in return the Young Advocate an illustrated semi-monthly journal one year FREE. Now, children, this is an opportunity for you to get an excellent and interesting journal to read twice a month for one year for the effort to secure a new subscriber for THE CAUCASIAN.

A WORD TO THE BOYS AND GIRLS.

DEAR CHILDREN—THE CAUCASIAN intends to devote a part of its space each week to your entertainment and instruction. It has not been long since we belonged to the hands of "young folks" and we know something of your desires and needs. We have much to do and think about, but your interests shall not be neglected. We are interested in you and your future, and if God spurs you, you will soon be men and women, and you will be called upon to battle with its problems. Men and women are simply grown-up children, and children are young men and women. Now, in running this department of the paper, we want your help. Write us letters, give us suggestions. Every one of you can teach us something; this may surprise you but it is so. Men and women (if they use the senses God gave them) are every day learning something from children, whether they admit it or not. If you please, write and tell us so. We want to hear from you, and when we have room will be glad to publish your letters. We will not publish your name if you ask us not to. We will establish a letter-box for you. You must address your letters to "THE CAUCASIAN Letter Box," Raleigh, N. C. If you see something in another paper or magazine that you enjoy, clip it out and send it to us. We will be glad to publish it to the other boys and girls who read THE CAUCASIAN. Can you enjoy the standard I studied during school. I hope there will be a school in this vicinity this winter, so I can get to study some more.

SCHOOL CLOSED—NOW WORKING ON FARM.

PAINT GAP, N. C., Oct. 26, 1897. DEAR CAUCASIAN—Observing that my other communication, to the Children's Corner, eluded the notorious waste-basket, I will strive to form another brief note, through the generous columns of THE CAUCASIAN to the same. Since the public school closed, father has me usually employed on the farm. I do not, however, intend to neglect the standard I studied during school. I hope there will be a school in this vicinity this winter, so I can get to study some more.

I am very thankful to the editor for giving a column, expressly for our use. Cousins, I hope we will make use of this column, given to us by the liberal editor. Try to contribute a brief letter to it each week. Since it has been resuscitated let us not let it prove a failure.

I will ask a few questions, hoping the cousins will try to answer. They are as follows:

When was North Carolina first settled?

By whom was it discovered?

Who first attempted to form a settlement in it?

I will close wishing much success to the cousins, and the cause which THE CAUCASIAN is nobly defending.

ALVIN HORTON.

VASS, N. C., Oct. 29, 1897.

MR. EDITOR—As I have never written to your paper I will try to write a few lines. I am a little girl 14 years old. I have one sister and brother. My sister is four years old. Her name is Bessie, my brother is 11 years old, and his name is Bruce. Papa takes THE CAUCASIAN and I enjoy reading the Children's Corner very much. Brother and myself go to school nearly every day. Well, I will close for fear of the waste basket, wishing the Cousins and CAUCASIAN much success.

Yours truly,

BERTIE CAMERON.

DISAPPOINTMENT.

CONTINUED FROM LAST WEEK.

One evening when the two girls were out walking, Mr. Freeman, sitting by his sister's side, said: "Sister I see what wonderful musical talent Bessie has. It ought to be cultivated, and she would make a fine performer. Now there is all the difference in her and Ethel's playing."

"Yes, I know she has her mother's talent, and I have been anxious to give her the best advantages the town afforded, but for the present I can do nothing," and she explained to him what her plans had been.

"I am aware that she can't afford it, but I think I might have a share in her education. Let me take her home with me and keep her this winter, and I will send her to the Conservatory of Music. A few months there will be worth more to her in regard to performance than a whole lifetime spent in a small place like this."

"Well, John, I can't refuse her this opportunity, for it has always been her chief desire to be a fine musician. I shall miss her sadly, for she is such a help in many ways, but suppose I can get along all right without her."

So it was decided; and when, after several weeks' visit, Mr. Freeman and family returned North they were soon installed, and Aunt Martha and Ethel took good delight in showing her the many places of interest. She entered the same

school that Ethel attended, and most of the time was occupied with her studies and music. She worked hard, in order to get all the good she possibly could during the winter and spring. She made rapid progress in her music, and received encouragement from her instructor. However, her greatest delight was when they went to some grand concert or opera. She would sit enraptured as she listened to the beautiful strains of Mendelssohn, Beethoven or Wagner. The winter was, her days filled with work, the nights frequently bringing her these musical treats, and her letters to Aunt Nancy told of her happiness.

THE GOVERNOR Sustained.

(Continued From First Page.)

ment, and the law-making power may prescribe a court of impeachment. Way, when I was a Superior Court judge, they were about to give the county commissioners power to impeach us for not getting to court on time. If the statute could provide a method of impeachment, it could also provide some other method of removal or suspension." Taroppe, section 400, 77 North Carolina, 6. "In this case they are suspended, not removed, from office. If the Governor is not sustained by the Legislature, the defendant will even get his salary from the day of his suspension, so careful is the law of his rights. When he resists this action, it's the day turning against the potter, the creature lying in the face of the creator. The Legislature created him; it has a right to remove him directly or through an agent."

Nothing is better settled in North Carolina than that an office is property. It is a contract between the holder of it and the State. 67 North Carolina, 609; Ward vs. Elizabeth City, 120 North Carolina; Wood vs. Bellamy, 120 North Carolina. If it is a contract, he accepts it under the terms prescribed and cannot refuse to carry them out. 46 New Jersey Law, 341. If the Legislature has power to prescribe conditions for suspensions, it can also remove. Under section 293 of the Code, the defendant is suspended until acquitted. Public policy requires this. 32 Arkansas, 241.

Removal for cause is not a judicial act. It is a revocation of the appointing act itself. It is in North Carolina language, carrying out the terms of the contract. 74 Michigan, 411; Taroppe, 402; 25 Louisiana Annual, 119.

"The Legislature has a right to create; it has, therefore, a right to destroy. Having a right to destroy, it has a right to prescribe the method of destruction."

"This must not have been a pleasant duty to the Governor. It could not be pleasant to any chief executive; yet having worked it out, what can he do, under the sanction of his oath, but to carry it out?"

At the contention that the removal of the Commissioners violated the Fourteenth amendment of the Constitution of the United States, in depriving them of property without due process of law, Judge Lucette said:

"Law in its regular administration through the courts of justice is due process of law." 152 United States, 377; Cooley on Constitutional Limitations, 429; Black on Constitutional Law, 463. It is not necessary for the Governor to have given the defendant any notice before taking the final step. Suspension is simply a dictum. The Legislature will try the case. The Governor, standing in the position of grand jury in this case, is the judge of the sufficiency of the charges for removal. Cooley on Constitutional Limitations, 133-134; 74 Michigan, 411; 13 American Reports, 131.

Judge McKee stated that the Railroad Commission is in violation of all the States' constitution in providing for suspension.

When all the other attorneys had spoken, Judge Avery, who was to the plaintiff's counsel, said:

"Your Honor, I'm ready to proceed with the argument for the plaintiff if you think it necessary. In the beginning of the hearing you said 'I will listen to hear from the other side. If they raise valid legal points, I will give them a hearing. I will mind any doubt as to the constitutionality of the law, and you would like to hear further from me, I will proceed.'"

Judge Robinson: "It is not necessary, sir, my mind is made up. I shall give judgment for the plaintiff."

The decision of the court is in the following language:

"This case comes on for hearing, the plaintiff's attorneys, Messrs. Mackie and Day and A. C. Avery, moved for judgment on the complaint and answer.

"Thereupon it was ordered and decreed:

"1. That the defendant has been lawfully suspended from his office of Railroad Commissioner.

"2. That the relator, John H. Pearson, has been duly appointed to fill the vacancy caused by the suspension of the defendant.

"3. That the defendant be ousted from, and the relator be inducted into said office of Railroad Commissioner.

"4. That plaintiff recover the costs of this action, to be taxed by the clerk."

And thus ended the trial about which so much has been said and which has aroused such deep interest.

The case will go up to the Supreme Court and the finally determined probably in thirty or forty days.

A similar action which Mr. L. C. Caldwell has brought against Major Wilson will be heard by Judge Cowie, at Statesville, on Nov. 8th. The law is so plain that no lawyer could have any serious doubt about the result.

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The Governor Sustained.

(Continued From First Page.)

THE ARENA.

Edited by JOHN CLARK RIDPATH, L. L. D.

The leading Reform review is now entering upon its ninth year. Its career has been one of prolonged effort for the advancement of true reform and the betterment of the people. To-day THE ARENA is better, brighter, more virile than ever. It is in the front of the fight and at the head of the column.

It stands pre-eminent as the champion of Popular Liberty.

It is devoted to the interest of the people, and its voice is raised with no uncertain sound in their behalf. The recent reduction in the subscription price should place THE ARENA in the hands of every thinking American.

It is such that the confidence of the people is a right to remove him directly or through an agent."

Nothing is better settled in North Carolina than that an office is property. It is a contract between the holder of it and the State. 67 North Carolina, 609; Ward vs. Elizabeth City, 120 North Carolina; Wood vs. Bellamy, 120 North Carolina. If it is a contract, he accepts it under the terms prescribed and cannot refuse to carry them out. 46 New Jersey Law, 341. If the Legislature has power to prescribe conditions for suspensions, it can also remove. Under section 293 of the Code, the defendant is suspended until acquitted. Public policy requires this. 32 Arkansas, 241.

Removal for cause is not a judicial act. It is a revocation of the appointing act itself. It is in North Carolina language, carrying out the terms of the contract. 74 Michigan, 411; Taroppe, 402; 25 Louisiana Annual, 119.

"The Legislature has a right to create; it has, therefore, a right to destroy. Having a right to destroy, it has a right to prescribe the method of destruction."

"This must not have been a pleasant duty to the Governor. It could not be pleasant to any chief executive; yet having worked it out, what can he do, under the sanction of his oath, but to carry it out?"

At the contention that the removal of the Commissioners violated the Fourteenth amendment of the Constitution of the United States, in depriving them of property without due process of law, Judge Lucette said:

"Law in its regular administration through the courts of justice is due process of law." 152 United States, 377; Cooley on Constitutional Limitations, 429; Black on Constitutional Law, 463. It is not necessary for the Governor to have given the defendant any notice before taking the final step. Suspension is simply a dictum. The Legislature will try the case. The Governor, standing in the position of grand jury in this case, is the judge of the sufficiency of the charges for removal. Cooley on Constitutional Limitations, 133-134; 74 Michigan, 411; 13 American Reports, 131.

Judge McKee stated that the Railroad Commission is in violation of all the States' constitution in providing for suspension.

When all the other attorneys had spoken, Judge Avery, who was to the plaintiff's counsel, said: